

**Agricultural Marketing Service, USDA****§ 29.3604**

wet or watered tobacco, see rule 24, § 29.3625.)

[30 FR 9207, July 23, 1965. Redesignated at 49 FR 16759, Apr. 20, 1984]

**§ 29.3568 Width.**

The relative breadth of a tobacco leaf expressed in relation to its length. Width, as an element of quality, does not apply to tobacco in strip form. (See Elements of Quality, § 29.3586.)

[30 FR 9207, July 23, 1965. Redesignated and amended at 49 FR 16759, Apr. 20, 1984]

**ELEMENTS OF QUALITY****§ 29.3586 Elements of quality and degrees of each element.**

These standardized words or terms are used to describe tobacco quality and to assist in interpreting grade specifications. Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by the use of words or terms designated as degrees. These several degrees are arranged to show their relative value, but the actual value of each degree varies with type, group, and grade.

Elements		Degrees			
Maturity .....	Imma- ture.	Underri- pe.	Mature	Ripe.	
Body .....		Thin .....	Medium	Heavy.	
Leaf structure .....		Close .....	Firm .....	Open.	
Leaf surface .....		Rough .....	Crepy ..	Smooth.	
Oil .....		Lean .....	Oily .....	Rich.	
Finish .....		Dull .....	Normal	Clear.	
Color intensity .....		Pale .....	Mod- erate.	Deep.	
Elasticity .....		Inelastic	Semiel- astic.	Elastic.	
Width .....		Narrow	Normal	Spread- y.	
Uniformity .....		(1) .....	(1) .....	(1).	
Injury tolerance .....		(1) .....	(1) .....	(1).	

<sup>1</sup> Expressed in percentage.

**SIZES****§ 29.3591 Standard tobacco sizes.<sup>1</sup>**

Inches	Sizes
12-20 .....	1
20-28 .....	2
Over 28 .....	3

<sup>1</sup> The application of sizes is governed by the major portion of the lot or package.

[51 FR 40408, Nov. 7, 1986]

**RULES****§ 29.3601 Rules.**

The application of §§ 29.3501 to 29.3568, § 29.3591, §§ 29.3646 to 29.3648, §§ 29.3650 to 29.3652 and 29.3681 shall be in accordance with the following rules.

[51 FR 40408, Nov. 7, 1986]

**§ 29.3602 Rule 1.**

Each grade shall be treated as a subdivision of a particular type. When the

grade is stated in an inspection certificate, the type also shall be stated.

**§ 29.3603 Rule 2.**

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

**§ 29.3604 Rule 3.**

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three breaks from which

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a representative sample shall be selected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

[30 FR 9207, July 23, 1965, as amended at 49 FR 16759, Apr. 20, 1984]

### **§ 29.3605 Rule 4.**

All standard grades must be clean.

### **§ 29.3606 Rule 5.**

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

### **§ 29.3607 Rule 6.**

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

### **§ 29.3608 Rule 7.**

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

### **§ 29.3609 Rule 8.**

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

### **§ 29.3610 Rule 9.**

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

### **§ 29.3611 Rule 10.**

Any special factor approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used to show a peculiar side or char-

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acteristic of the tobacco which tends to modify the grade.

[30 FR 9207, July 23, 1965, as amended at 49 FR 16759, Apr. 20, 1984]

### **§ 29.3612 Rule 11.**

Interpretations, the use of specifications, and the meaning of the terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch and approved by the Director.

### **§ 29.3613 Rule 12.**

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

### **§ 29.3614 Rule 13.**

Length shall be stated in connection with each grade of the A, B, and C groups, except strip grades, and may be stated in connection with grades of other groups. For this purpose, the standard tobacco sizes shall be used. (See Applicable Standard Sizes, § 29.3681.)

[51 FR 40408, Nov. 7, 1986]

### **§ 29.3615 Rule 14.**

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. These percentages shall not affect limitations established by other rules.

### **§ 29.3616 Rule 15.**

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.